

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

MDL No. 3076

Case No. 1:23-md-03076-KMM

IN RE:

**FTX Cryptocurrency Exchange Collapse
Litigation**

THIS DOCUMENT RELATES TO:

The Multinational VC Defendants

O'Keefe v. Sequoia Capital Operations, LLC,
No. 1:23-cv-20700 (S.D. Fla.)

O'Keefe v. Temasek Holdings (Private) Limited,
No. 1:23-cv-23065 (S.D. Fla.)

Chernyavsky v. Temasek Holdings (Private) Limited,
No. 1:23-cv-22960 (S.D. Fla.)

Cabo v. Temasek Holdings (Private) Limited,
No. 1:23-cv-23212 (S.D. Fla.)

**MULTINATIONAL VCS' RESPONSE TO PLAINTIFFS' NOTICE OF FILING
SUPPLEMENTAL AUTHORITY**

The Multinational VCs respectfully respond to Plaintiffs' Notice of Supplemental Authority (ECF No. 552) identifying a post-settlement judgment in an SEC action against Genesis Global Capital, LLC. As enumerated by other Defendants (ECF Nos. 549, 553), that action is irrelevant to this litigation and to the Multinational VCs' motions, including because it concerned inapposite questions of whether the SEC had adequately alleged violations of the Securities Act and whether or not various products were "securities."

The Multinational VCs add that Plaintiffs' Notice also misrepresents key facts. First, the Notice states that the judgment was against Genesis and co-defendant Gemini Trust Company,

LLC. But the judgment is against only Genesis, a bankrupt entity. (ECF No. 552-1). The fact that Genesis settled has no bearing whatsoever on this action.

Second, the Notice states that judgment was entered five days after the S.D.N.Y. denied defendants' motion to dismiss, implying a causal relationship. In actuality, the SEC's motion for entry of the judgment clearly states that the settlement was reached in January 2024, months before the decision on the motion to dismiss. *See SEC v. Genesis Glob. Cap., LLC*, No. 23-cv-00287-ER, ECF No. 55 (S.D.N.Y. Mar. 15, 2014).

Dated: March 28, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 28st day of March, 2024, I e-filed a true and correct copy of the foregoing document using the Court's CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Jason P. Gottlieb
Jason P. Gottlieb